

REMARKS

Applicant respectfully requests reconsideration of the instant application in view of the foregoing amendments and the following remarks. Claims 1-22 are currently pending in the application. Applicant has amended claims 1, 9, 17, 18 and 20-22 and submits that no new matter has been added in this Amendment.

Specification Objections Under 35 U.S.C. § 132(a)

The amendment filed September 16, 2005 has been objected to under 35 U.S.C. § 132(a), as allegedly introducing new matter into the disclosure. The Examiner indicates that the phrases "resilient mechanical compliance" (in claims 1, 9 and 17); "asymmetric cross-section" (in claims 18 and 19); "internal pivot point" (in claim 20); and "asymmetric mechanical compliance" (in claim 21) are the basis for the objections.

Applicant respectfully submits that the claimed elements are fully supported by the specification and figures, as originally filed. By way of example only, page 7 describes an implementation of the attachment member as a blade. Applicant submits that the blade implementation of the attachment member includes an asymmetric cross-section that differs along x- and y-axes. Also, for example Fig. 2 illustrates attachment members 14 formed with an internal pivot point 76 within grip-section 1 (from Fig. 1). Furthermore, Applicant submits that the specification on page 8 discusses a spring material implementation of the attachment members and that the spring implementation supports the claimed resilient mechanical compliance, as well as asymmetric mechanical compliance. Furthermore, Applicant includes amendments to the specification to explicitly support the claimed elements, and thereby provide proper antecedent basis for the claimed elements. Accordingly, Applicant submit that the objections to the specification have been overcome.

Drawing Objections Under 35 U.S.C. § 132(a)

The drawings have been objected to due to informalities identified on pages 4 of the Office Action. Applicant submits herewith an amended Figure 1A to remove reference character "12," which was not described in the detailed description. Applicant has amended the specification to delete the description in the specification associated with reference character 30 (copies of the amended Figure 1A). Accordingly, Applicant submits that the objections to the drawings have been overcome.

Claim Objections

Claim 1 has been objected to due to an informality in the claim language. Applicant submits that claim 1 has been amended to further clarify the claim language. Accordingly, Applicant submits that the objections to the claims have been overcome.

Rejections under 35 USC § 102/103

Claims 1, 2, 4, 7, 8, 18, 19 and 21 have been rejected under 35 U.S.C. § 102(b) as being allegedly anticipated by Wood (US Patent No. 1,917,566) ("Wood"). Claims 3 and 20 have been rejected under 35 U.S.C. § 103(a), as being unpatentable over Wood, in view of Mason (US Patent No. 2,398,436) ("Mason"). Claims 9, 10, 12, 15-17 and 22 have been rejected under 35 U.S.C. § 103(a), as being unpatentable over Wood, in view of Takahashi (JP 05137815 A). Claim 11 has been rejected under 35 U.S.C. § 103(a), as allegedly being unpatentable over Wood, in view of Takahashi and in view of Mason. Claims 1, 3-5, 18, 19 and 21 have been rejected under 35 U.S.C. § 103(a), as allegedly being unpatentable over Dudas (DE 297 11 570 U1), in view of Schwartz (US Patent No. 4,627,618). Applicant respectfully submits that the amended claims, as well as the claims dependent therefrom, are patentably distinct from the cited references, taken

alone or in combination.

Applicant thanks the Examiner for taking the time to conduct Examiner's Interviews on January 11, 2006 and December 22, 2005. During the interviews, the Examiner and the Applicant discussed the pending claims with regard to the cited references. Both the Examiner and Applicant were able to agree to language that further clarifies the elements of the claimed invention and distinguishes the claims from the cited references. Accordingly, the claims amendments detailed above incorporate the language agreed to by the Examiner and the Applicants. Therefore, Applicants submit that the amended claims are not anticipated or rendered obvious by the cited references.

CONCLUSION


As such, Applicant submits the claimed invention recited in amended independent claims 1, 9 and 17 are patentably distinct from the cited references and in condition for allowance. Further, Applicant submits that claims 2-8, 10-16 and claims 18-22, which are directly or indirectly dependent on independent claims 1 or 9 respectively, are also patentably distinct from the cited references and in condition for allowance. Accordingly, Applicant requests withdrawal of these grounds of rejections.

AUTHORIZATION

The Commissioner is hereby authorized to charge any additional fees which may be required for consideration of this Amendment to Deposit Account No. 03-1240, Order No. 16128-002. In the event that an extension of time is required, the Commissioner is requested to grant a petition for that extension of time which is required to make this response timely and is hereby authorized to charge any fee for such an extension of time or credit any overpayment for an extension of time to Deposit Account No. 03-1240, Order No. 16128-002.

Date: January 17, 2006

Respectfully Submitted,
CHADBOURNE & PARKE, L.L.P.

BY: 
Daniel C. Sheridan
Registration No. 53,585

Address:
Chadbourne & Parke, L.L.P.
30 Rockefeller Plaza
New York, NY 10112
212-408-5100 Telephone
212-541-5369 Facsimile